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Chairman: Mr. MUNTASSER (Libyan Arab Jamahiriya)

Chairman of the Advisory Committee on Administrative and Budgetary Questions: Mr. MSELLE

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The meeting was called to order at 3.25 p.m.

AGENDA ITEM 107: PROPOSED PROGRAMME BUDGET FOR THE BIENNIUM 1992-1993 (continued) (A/46/6/Rev.1 and A/46/7)

AGENDA ITEM 108: PROGRAMME PLANNING (continued) (A/46/16 and Add.1, A/46/173 and A/46/330)

General debate (continued)

1. Mr. BELYAEV (Belarus) said that his delegation shared the concern expressed by the Secretary-General and the Chairman of the Advisory Committee on Administrative and Budgetary Questions (ACABQ) about the Organization's continued financial difficulties resulting from the delay of many Member States in paying their contributions. The Committee should make a comprehensive in-depth study of the origins and causes of such financial crises, which were occurring with increasing frequency, and devise specific and effective measures to forestall them. The Organization's current difficulties could be ascribed only in part to a lack of discipline in paying contributions. An analysis of the Organization's financial crisis in 1986 had established that there was a close connection between the readiness and ability of Member States to provide financial support and the need to achieve maximum effectiveness and transparency when preparing programmes and budgets. Since then, much had been done to achieve understanding between intergovernmental bodies and the Secretariat. A particularly important part had been played by the recommendations of the Group of 18 and by the general understanding, reached in 1986, on the need to ensure the implementation of decisions and to continue the administrative and financial reorganization.

2. The preliminary consideration of the proposed programme budget in the Committee for Programme and Coordination (CPC) and ACABQ showed that when the decisions and recommendations on budget preparation were even partially carried out, the necessary understanding and agreement were displayed and that spirit was carried over into the Fifth Committee. On the other hand, the slightest deviation from decisions and recommendations reached by consensus aroused discord in the relevant bodies and prompted efforts to review or amend them in the Committee. In the circumstances, the Fifth Committee would be fully justified in approving the conclusions and recommendations of CPC and ACABQ in their entirety, in the interests of further promoting mutual understanding and agreement between Member States and the Secretariat.

3. His delegation advocated approving all the conclusions and recommendations of CPC and ACABQ because they were the minimum required to ensure a successful continuation of the process of reforming the Organization's planning and budget procedures. It was alarming that the second proposed programme budget since the introduction of the new procedure was being submitted for adoption without some of its fundamentally important principles being observed. As a result, intergovernmental bodies were still

(Mr. Belyaev, Belarus)

not in a position to review programme activities under most sections of the budget and, for that reason, there were misunderstandings and disagreements about the programmes and estimates.

4. The methodology for the preparation of the programme budget was still complex, so that it was difficult to calculate rates of growth and compare the proposed programme budget with the budget for the current biennium. Such shortcomings continued to exist only because they served the interests of individual programme managers by concealing their lack of competence in planning the activities of their departments or in utilizing their resources. Thus, unjustifiable requests for additional posts, for the reclassification of posts and for the transfer of posts financed from extrabudgetary resources to the regular budget were perpetuated from budget to budget. His delegation therefore supported the recommendations by ACABQ for reductions in the proposed programme budget because they were both well argued and necessary to alleviate the general discontent with the state of the budget preparation process. Approving the recommendations would relieve the proposed budget, if only partially, of excessive expenditures which did nothing to encourage programme managers to seek to improve their efficiency or to cooperate closely with intergovernmental bodies.

5. The Secretariat should take specific steps as soon as possible to lay the foundations for greater flexibility in the management of United Nation's resources, in particular by organizing the proposed ad hoc technical seminar to review budget methodology, which should not give rise to any additional financial implications. His delegation was also looking forward to the Secretariat's new model budget format, which would contain clearer and more detailed information about programmes and resources and ensure greater flexibility in their management.

6. With regard to programme planning, his delegation appreciated the report of the Secretary-General in document A/46/173. It had no objection to the proposals in that document, and fully concurred with the conclusions and recommendations of CPC (A/46/16, paras. 394-401). Effective monitoring of programme performance depended on the quality of the medium-term plan and the programme budget. The efforts of the Secretariat should therefore, in the first instance, be focused on improving the form and content of those particular documents. Any measures taken to improve monitoring and accountability should not, however, lead to the establishment of any special structures in the Secretariat or to any additional expenditures for such purposes.

7. Mr. IRUMBA (Uganda) said that his delegation agreed entirely with the conclusions and recommendations in the report of CPC (A/46/16) on the proposed programme budget and particularly welcomed its recommendation for a new programme on Africa under section 11A, to which his delegation attached considerable importance.

(Mr. Irumba, Uganda)

8. His delegation endorsed the proposal of CPC that an ad hoc technical seminar should be convened to review questions relating to the methodology for the preparation of the programme budget. It also commended the Secretariat for its efforts to involve intergovernmental bodies in consultations on the proposed programme budget and urged that those efforts be extended to include other such bodies so as to ensure that future budgets commanded genuine support from all Member States.

9. Uganda had joined the consensus to recommend the programme content of the proposed programme budget on the understanding that the proposed real growth rate of 0.9 per cent was the minimum required to implement mandated programmes and activities. It was yet to be persuaded, however, that the proposals by ACABQ for a reduction in the Secretary-General's expenditure estimates on the basis of the actual pattern of expenditure during the last complete biennium for which final information was available were justified. In fact, that approach might be counterproductive, in that it would offer programme managers an incentive to spend, lest their budget be reduced in future bienniums. His delegation was also concerned by attempts to suggest that the General Assembly had ruled that there should be a zero growth rate for the budget. Under the budgetary procedure adopted in resolution 41/213, the level of resources indicated in the budget outline was only intended to be a guide for the Secretary-General in the preparation of the budget and did not an constitute an absolute ceiling. All delegations should observe the spirit of resolution 41/213 so that the proposed programme budget could be adopted without a vote. That was the only way to strengthen confidence in the Organization.

10. Referring to General Assembly decision 45/428 in which the Secretary-General had been requested to prepare a report on the situation of the African Institute for the Prevention of Crime and the Treatment of Offenders and to include therein proposals for funding it through a balance between voluntary contributions and regular budget financing, he said that his delegation was disappointed that the report was not yet available and would appreciate some indication as to when it would be introduced. In particular, he wished to stress the need for it to put forward proposals regarding the balance of financial resources.

11. Responsibility for approving transfers of resources between budget sections rested with the General Assembly. There was a growing danger that a few Member States might try to define priorities other than those agreed on by the General Assembly or to establish such priorities at the level of major programmes rather than subprogrammes, using that approach to justify the redeployment of resources. The correct procedures were clear: it was the responsibility of the General Assembly to approve proposals for transfers of appropriations between sections before they were actually effected. ACABQ could act on behalf of the General Assembly in sanctioning requests for transfers, but there were no clear mechanisms and procedures for the General Assembly to consider its reports on such requests. That was a matter for concern and his delegation thought that any proposals made by the

(Mr. Irumba, Uganda)

Secretary-General on procedures for transfers of appropriations between sections of the budget, as suggested in paragraph 22 of the report of ACABQ (A/46/7), should aim to remedy the lack of such machinery.

12. With regard to proposals for the reclassification, creation, redeployment and abolition of posts, his delegation had misgivings about the proposed reduction of posts or resources under certain sections which were of critical importance to developing countries, such as UNCTAD and the Centre for Science and Technology for Development. It was important for the Office of Human Resources Management to be closely involved so as to avoid any circumvention of the existing procedures.

13. As for extrabudgetary funding, the information necessary for an assessment and analysis of the impact of certain funds on the Organization's priority activities was not readily available to all Member States. That concern had been raised implicitly in paragraph 74 of the report of ACABQ (A/46/7) and his delegation looked forward to the results of the scrutiny by ACABQ of the extrabudgetary resources administered by the United Nations International Drug Control Programme.

14. Uganda also looked forward to the review of the medium-term plan by CPC in 1992 and wished to stress the importance of the system-wide plan of action on African recovery and development which the Secretary-General had been requested to submit to CPC. The format and content of the plan should follow those of the system-wide plan on drug abuse control.

15. While Uganda agreed that programmes and activities should be reviewed in order to eliminate any that had become obsolete, it did not agree that they should be eliminated simply because they had been on the agenda for a long time. Any proposals to redefine the Regulations and Rules Governing Programme Planning should be treated with great caution.

16. Mr. FORAN (Acting Under-Secretary-General for Administration and Management) said that most delegations agreed with the Secretary-General that the United Nations was facing far-reaching demands on its capabilities and that it was thus imperative for Member States to meet their financial commitments so as to enable the Organization to respond effectively.

17. Commenting on programme planning, he said that Member States were first involved in the process with their participation in the specialized intergovernmental bodies that reviewed work programmes prior to the adoption of the medium-term plan. Such involvement provided valuable input. The medium-term plan itself offered a consolidated description of United Nations objectives and strategies in response to legislative mandates, as well as a programmatic framework for the budget. Efforts to simplify the presentation of the medium-term plan and to strengthen the linkage between the plan and the budget would continue, as would the examination of various methodological issues that had been raised in connection with the monitoring of programme

(Mr. Foran)

performance. With regard to the suggestion that programme performance could be monitored in the context of follow-up to recommendations of the Joint Inspection Unit (JIU), he referred the Committee to the report of the Secretary-General (A/46/219) which would be considered under the item on JIU.

18. Turning to the proposed programme budget for the biennium 1992-1993, he said that the medium-term plan, budget proposals and statements of programme budget implications were formulated only after a thorough internal review, involving full consultations between programme managers and the Office of Programme Planning, Budget and Finance. The Programme Planning and Budgeting Board played a decisive role in the process.

19. If the Fifth Committee were to adopt all of the reductions recommended by the Advisory Committee, and if no new expenditures were added, the rate of real growth for the budget as a whole would be negative 0.3 per cent. It was not possible, however, at the current stage, to assess the overall effect of the cuts recommended by ACABQ. The budget proposals represented the minimum required to implement mandated programmes and activities. The reductions recommended under public information and under common support services, in particular, would have a detrimental impact on the quality of services delivered. For example, the reductions proposed under section 32 (Conference Services) would reduce meetings-servicing capacity and delay office automation projects, including the optical disc project. Other reductions in common support services would severely affect peace-keeping operations. The Advisory Committee's recommendations should be considered on a section-by-section basis, taking into account the relevant mandates and established priorities.

20. With regard to the methodology used in the current proposals, he said that real growth represented the amount which was added to or subtracted from the maintenance base of the budget to provide the new budget proposals. Real growth was the sum of two components: recurrent growth and delayed impact. The rate of real growth was a measurement of change in the maintenance base in percentage terms.

21. While the rates of real growth in the budget outline and the proposed programme budget differed, the outline and the budget had different starting points; that prevented a step-by-step comparison. The outline had been based on the initial appropriations for 1990-1991, and had combined the estimated financial impact of decisions which were expected to be taken at the forty-fifth session with preliminary proposals for 1992-1993. The proposed programme budget, on the other hand, was based on the revised appropriation for 1990-1991 approved by the General Assembly, with the addition of real growth for 1992-1993.

22. The new budget process introduced by General Assembly resolution 41/213 was still in a developmental stage. Various methodological refinements, including an improvement of the linkage between the outline and the programme budget, were required. In that connection, the ad hoc technical seminar

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proposed by CPC would make a useful contribution. The suggestion that consideration should be given to more flexible application of the procedure for transfers between sections was also welcome.

23. With respect to the new budget format, under the new structure of the medium-term plan, programmes had become more significant in terms of formulating objectives and reflecting priorities. Any attempt to add more detail would simply diminish transparency. Improvements in the format could also be considered at the technical seminar.

24. With regard to the apparent contradiction between the negative rates of real growth proposed for UNCTAD and the Centre for Science and Technology for Development and the priority accorded to the economic development of developing countries, the Committee would note that negative growth was due, in the case of UNCTAD, to the proposed abolition of two posts, and, in the case of the Centre, to a rationalization of its budget, based on estimated requirements in the forthcoming biennium.

25. The Administration shared the concern over the delay in implementing the integrated management information system, which had been caused by an earlier decision to incorporate new developments in data processing. The project was a key element in improving the efficiency and administrative functioning of the Organization, and every effort was being made to move the project forward without sacrificing quality.

26. With regard to the proposed reclassification of posts, he said that upgradings could be warranted as new duties or responsibilities were assumed. Such a practice was standard in both the public and the private sectors. He welcomed the CPC recommendation that issues relating to changes in the staffing table, including the reclassification and creation of posts, should be reviewed by the competent bodies as a step towards more transparent procedures.

27. Lastly, he noted that underutilized balances had traditionally been surrendered at the end of previous bienniums. The phenomenon was inherent in the budgeting exercise. The unspent balances and the unliquidated obligations combined in respect of the previous five bienniums had amounted to between 0.8 and 2.5 per cent of the final appropriations. That was surely not out of line.

28. Mr. MSELLE (Chairman of the Advisory Committee on Administrative and Budgetary Questions), referring to the role of the Advisory Committee regarding transfers between budget sections, said that the appropriation resolution provided that the Secretary-General could transfer funds within sections; transfers between sections were made with the concurrence of the Advisory Committee. Two performance reports were issued in respect of the programme budget. The first, prepared at the end of the first 12 months, provided an opportunity for the Secretary-General to indicate whether there

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were any proposals for transfers between sections; the Advisory Committee, in its report on the first performance report, reviewed all such proposals. The second performance report, which was issued towards the end of the second year of a biennium, also showed transfers, and those, too, were reported on by the Advisory Committee. Other transfers could be proposed by the Secretary-General on closing the accounts after the end of the second year of a biennium. For instance, in connection with the audit for the biennium 1988-1989, the Secretary-General had, in 1990, requested the concurrence of the Advisory Committee regarding transfers between sections totalling $2.6 million. That procedure must be followed before the auditors could issue an audit certificate. The Board of Auditors had noted that the Advisory Committee had concurred in the transfers sought by the Secretary-General. With regard to the budget proposals for the biennium 1992-1993, the question had arisen as to whether the Secretary-General needed additional flexibility to transfer larger amounts between budget sections.

29. He welcomed the comment by the Acting Under-Secretary-General that the issue of unencumbered balances and unliquidated obligations was part of the budgetary process. It had nothing to do with the financial crisis. At the end of the biennium 1986-1987, the Advisory Committee had recommended that unencumbered balances should not be used to reduce the future assessments of Member States. He noted that at the forty-second session, he had provided the Fifth Committee with a detailed explanation of why savings in respect of unencumbered balances occurred. The essential point was that failure to take account of the pattern of expenditure in prior years was likely to result in unrealistic budgeting in future years. One problem in the budgetary process was that initial estimates were based on partial information regarding total requirements for the preceding biennium. For example, the 1992-1993 estimates were based on the first performance report for the biennium 1990-1991. That report had been based on information that was accurate only in respect of 9 to 10 months, and not the full 24 months, of the earlier biennium. Accordingly, it was not possible to see the true picture for 1990-1991; that had an impact on the estimates for 1992-1993.

30. As early as 1987, the Advisory Committee had recommended that improvements to the methodology should be introduced, but to date no specific proposals had been made. The technical seminar proposed by CPC could perhaps devise a solution.

31. Various speakers had commented on the size of the reductions recommended by the Advisory Committee, which amounted to some $43 million out of a programme budget totalling approximately $2.3 billion. The percentage reduction was under 2 per cent, a level which had frequently been exceeded in previous bienniums. For example, the Advisory Committee had recommended gross reductions amounting to 3 per cent in 1982-1983 and 3.1 per cent in 1988-1989. He would provide additional information concerning the proposed reductions in the section-by-section review.

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32. As to a possible rate of growth of negative 0.3 per cent, the Committee would note that, if the base was reduced, the rate of growth would increase. The budget must be viewed realistically. The rate of growth in the budget was not synonymous with the rate of growth in activities and it did not follow that a specific percentage change in the budget would lead to an equivalent percentage change in activities. It was still possible to increase activities even with zero budget growth by, for example, improving productivity and introducing new technology. Discussion of growth without consideration of its practical import would simply lead to confusion.

33. With respect to the questions put by the representative of the Netherlands regarding the proposed reductions in terms of object of expenditure, he said that the Advisory Committee had not made its recommendations on that basis. Rather, the Advisory Committee had reached its conclusions and then asked the Secretariat, on the basis of past budget performance, how the reductions could be effected. Such an approach was necessary if the Secretariat was to make the necessary allotments once the Assembly had approved the appropriations. It simply did not help to proceed on the basis of object of expenditure.

34. Mr. MORDACQ (France) thanked the Acting Under-Secretary-General for Administration and Management and the Chairman of ACABQ for their extensive statements. His delegation would, however, welcome a conference room paper from the Secretariat explaining how the positive 0.9 per cent rate of real growth in the proposed programme budget had turned into a negative 0.3 per cent growth rate for the budget as a whole. The information could be provided in tabular form, distinguishing between recurrent and non-recurrent expenditures. It would also be useful to have figures for unobligated appropriations and unliquidated obligations, on a section-by-section basis. Furthermore, his delegation would like a detailed breakdown of the proposed across-the-board reductions by object of expenditure. The Committee could not accept a budget without a clear idea of where and how the proposed savings were to be made.

35. Mr. SPAANS (Netherlands) said that he would similarly welcome details of the proposed deletion of $15 million for 1992-1993 and hoped that the information could be made available before the individual sections of the budget were considered.

36. Mr. MSELLE (Chairman of the Advisory Committee on Administrative and Budgetary Questions) pointed out that, with respect to underutilized balances, the Advisory Committee was in fact recommending a net deduction from expenditure sections of slightly more than $13 million and not a deletion of $15 million.

37. Mr. FORAN (Acting Under-Secretary-General for Administration and Management) indicated that the Secretariat could provide the information requested in a table if that was the wish of the Committee. Such a table would, of course, have to be updated quite often and it might be more sensible to provide information at regular intervals during the budgetary process or at the end of the first reading of individual sections of the budget. The Secretariat would need a few days to look into the methodology for presenting the data in computerized form so that the table could be revised as and when necessary.

38. Mr. INOMATA (Japan) said he feared that the proposal to examine how the across-the-board cuts would apply in each section might hold up the first reading of the proposed programme budget. In any case, he doubted whether it was theoretically possible for the Advisory Committee or the Secretariat to identify how the $13 million reduction would be spread between objects of expenditure.

39. Mr. MORDACQ (France) expressed surprise that his suggestion created so many difficulties. His aim was greater transparency and he simply wanted to know how appropriations had been utilized section by section in the past, what the across-the-board reductions would involve on a section-by-section basis and what growth rates would result from those reductions.

40. Mr. MICHALSKI (United States of America) said that he saw no real merit in attempting the very difficult exercise of trying to pin down the proposed reductions by object of expenditure, particularly as the Secretary-General would certainly have to reallocate funds in each budget section to meet the actual needs of the Organization as the budget biennium proceeded. However, he had no objection to such information being prepared if other delegations found it helpful, so long as the examination of the individual sections of the budget was not delayed.

41. Mr. FONTAINE ORTIZ (Cuba) remarked that such information would indeed be useful to ensure that no one budget section was penalized more than others as a result of the reductions. The Acting Under-Secretary-General for Administration and Management had already said that the relevant data could be made available.

42. Mr. IRUMBA (Uganda) said that, like previous speakers, he was concerned about the possible impact of the reductions on budget sections and wondered, too, whether the Committee would be approving sufficient appropriations. He would return to that question during the first reading of the individual sections of the budget.

43. Mr. KINCHEN (United Kingdom) said that his delegation supported all efforts to introduce transparency into the budgetary process. There was still a considerable way to go before the resources requested were justified in terms of the outputs produced, even in the budget submission of the Secretary-General. The representative of France, if he understood correctly,

(Mr. Kinchen, United Kingdom)

was asking for figures section by section, a quite reasonable request given that the Committee made appropriations by budget section.

44. The general debate had shown, moreover, that there were considerable misgivings about the definition employed for the calculation of growth rates. His delegation would like information on growth rates not only on the basis of the definition used by the Secretariat in the preparation of the proposed programme budget for the biennium 1992-1993, but also on the basis of the definition adopted in the proposals for 1990-1991, which was different. It would also like to have a growth rate over the initial estimates, or alternatively a growth rate by section for the revised estimates.

45. If general questions were raised in the informal consultations, his delegation would seek clarification of the anomaly noted from the table following paragraph 6 of the Advisory Committee's first report (A/46/7), where it appeared that at revised 1991 rates the budget outline was less than the proposed programme budget by some $400,000 yet the application of the same inflation and exchange rate assumptions somehow led to an inversion of that situation so that the proposed programme budget at 1992-1993 rates was within the outline by some $3 million. Lastly, it would like clarification as to the progression of non-recurrent expenditures. One of the premises on which the outline had been based was that the increase in non-recurrent expenditures from an initial proposal of around $87 million in 1990-1991 to the level proposed for 1992-1993, namely $122.8 million at 1991 rates, was due in large measure to capital projects or even construction projects already approved by the General Assembly. His delegation could calculate a net increase of around $14 million on that account but could not arrive at the full $40 million indicated.

46. The CHAIRMAN noted that further information would be provided by the Acting Under-Secretary-General for Administration and Management in response to requests by delegations.

47. Ms. DE BITTENCOURT BERENGUER (Chairman of the Committee for Programme and Coordination), responding to questions raised by the delegations during the general debate, said that several delegations - particularly those concerned with budgetary restraint - had expressed concern at the overall level of the proposed programme budget. Without going into the issue of zero real growth, she wished to reiterate the recommendation of CPC that the programme budget should reflect the premises on which the outline had been based and adopted (A/46/16, para. 35), and its observation that methodological difficulties still hampered a comparison between the proposed programme budget and the outline on the basis of which it was prepared (A/46/16, para. 38).

48. CPC shared the concern expressed by many delegations regarding the distribution of resources in relation to programme content. It had focused on the relevance of programmatic content and the importance of programme delivery with respect to full implementation of the budget. As stated in the CPC

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report, the allocation of resource requirements by part and section of the budget should be in line with mandates, programmed activities and established priorities. Some delegations had stressed the need to concentrate resources on areas of maximum impact and to do away with programmes that had not achieved results, while others were of the view that problems did not become obselete simply because they had not yet been solved. CPC thought that the dilemma might be restated in terms of finding the most effective means of fulfilling the Organization's mandates. The issue of what was or was not obsolete should be decided in exchanges with intergovernmental bodies during the course of the review process recommended in paragraph 30 of the CPC report - a recommendation that had received widespread support. Admittedly, the timetable of meetings might make it difficult for those bodies to participate in every stage of the preparation of the budget, as required by resolution 41/213, but perhaps the Secretariat could shed some light on how best to circumvent such difficulties.

49. A number of delegations had pointed out that one fifth of the resources requested in the proposed programme budget were for activities that were not programmed in the medium-term plan. That was, of course, due to the fact that five of the 36 expenditure sections were not within the framework of the plan, as stated in paragraph 8 of the introduction to the proposed programme budget (A/46/6/Rev.1).

50. With respect to priorities, a number of delegations had questioned whether the broad priorities established by the United Nations had been duly reflected in the proposed programme budget, in particular activities relating to the economic development of the developing countries. That issue merited careful consideration, from the standpoint of both budget review and implementation, where the question of flexibility should be addressed. As for the priorities attached to the subprogrammes in the medium-term plan, CPC, too, had noted that, while many priority subprogrammes had received increased resources, many others, especially in the economic and social sectors, had not.

51. There were two basic reasons why CPC was unable to grasp the full programmatic significance of 0.9 per cent real growth: methodological difficulties and the question of posts. In the view of CPC and many delegations, the proposed changes in the staffing table, which were responsible for much of the growth, had not been properly justified. CPC recommended that the General Assembly should designate competent bodies to develop procedures and norms that were more transparent and more rational and to report back to it at its forty-seventh session. As for the question of redeployment, CPC was still confused by the Secretariat's repeated assertions that abolishing one post and creating another was not redeployment.

52. The CPC recommendation regarding the convening of an ad hoc technical seminar to review questions of methodology had received widespread support. As had been pointed out during the general debate, it was important that the

(Ms. de Bittencourt Berenguer)

participants should include a representative range of experts. CPC trusted that the Secretariat was taking steps to organize that seminar.

53. Mr. FORAN (Acting Under-Secretary-General for Administration and Management), responding to the concern expressed by the representative of Uganda about the absence of the report on the financing of the African Institute for the Prevention of Crime and the Treatment of Offenders, requested in General Assembly decision 45/428, said that the report would be ready for distribution within a week to 10 days.

AGENDA ITEM 115: PERSONNEL QUESTIONS (A/46/370 and A/46/377; A/C.5/46/2, A/C.5/46/4 and Add.1, A/C.5/46/7, A/C.5/46/9, A/C.5/46/13, A/C.5/46/16 and A/C.5/46/21)

(a) COMPOSITION OF THE SECRETARIAT

(b) RESPECT FOR THE PRIVILEGES AND IMMUNITIES OF OFFICIALS OF THE UNITED NATIONS AND THE SPECIALIZED AGENCIES AND RELATED ORGANIZATIONS

(c) OTHER PERSONNEL QUESTIONS

54. Mr. FLEISCHHAUER (Under-Secretary-General, the Legal Counsel), introducing the report submitted by the Secretary-General on behalf of and with the approval of the members of the Administrative Committee on Coordination (ACC) (A/C.5/46/4 and Add.1), said that the purpose of the report was to highlight matters related to respect for the privileges and immunities of officials that were of serious concern to the members of ACC, and was therefore largely based on the information provided by the respective organizations, agencies and United Nations bodies. The report covered the period from 1 July 1990 to 30 June 1991. Therefore, in annex I, the consolidated list of staff members under arrest and detention or missing included the names of only those arrested, detained or missing as of 30 June 1991. At the special request of the United Nations Children's Fund (UNICEF) and the Economic Commission for Africa (ECA), however, reference was made exceptionally to a case that had occurred after that date, namely the second arrest of Ms. Roshan Beraki at Asmara (Ethiopia) on 17 August 1991, which both UNICEF and ECA regarded as a very disturbing development. At the suggestion of some United Nations bodies with operational activities in the field, the addendum to the report supplemented the section on taxation. It also contained information which had been submitted late by the United Nations Truce Supervision Organization (UNTSO).

55. The Committee's attention had been drawn the previous year to the fact that, in the light of the rapidly expanding peace-keeping and peace-building activities, as well as activities in economic, environmental, humanitarian and other fields, undertaken by the United Nations and the organizations of the United Nations system in fulfilment of the responsibilities assigned to them

(Mr. Fleischhauer)

by Member States, the staff had been increasingly called upon to perform their functions in emergency situations and under very difficult conditions. Respect for the privileges and immunities of officials thus acquired particular importance. As pointed out in the report of the Secretary-General on the work of the Organization (A/46/1), as against 13 operations launched all through 43 years, 5 had been mounted in 1988 and 1989, and 4 much more complex operations in 1990 and early 1991. The Secretariat was now engaged in the task of ensuring implementation of the decisions of the Security Council relating to the situation between Iraq and Kuwait. If the United Nations and other organizations of the United Nations system were to respond effectively to the new challenges, their staff had to feel fully protected and secure and to be free from any form of abuse of their rights. As affirmed in General Assembly resolution 45/240, persistent obstruction of the exercise of the duties of United Nations officials constituted an obstacle to the implementation of the mission entrusted by the Member States and might affect programme delivery.

56. The report was structured so as to highlight the major areas of concern to the United Nations, and notably to those of its bodies with extensive activities in the field and to the specialized agencies and related organizations. Despite the deep concerns expressed in previous years by the General Assembly and notwithstanding all other efforts to improve the situation, the number of cases of arrest and detention of officials remained very high. Although, as before, most of the cases related to officials of the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA), other agencies also encountered substantial problems in that regard. Further information on the difficulties experienced by UNRWA could be found in the annual report of its Commissioner-General (A/46/13).

57. He was pleased, however, to inform the Committee that during the reporting period there had also been positive developments in some long-standing cases. Several staff members under arrest or detention since 1986 and 1987 had finally been released (see para. 9 of the report). Two staff members, Mr. Tesfamariam Zeggae of ECA and Ms. Guenet Mebrahtu of the World Health Organization (WHO), whose cases had in the past attracted a great deal of attention, had been released after a change of government in Ethiopia, but, regrettably, their health had deteriorated because they had been denied adequate medical care while under detention. Many other staff members remained in detention, under arrest or missing, a fact that could not and should not be tolerated. One long-standing case was that of Mr. Alec Collett, a staff member of UNRWA who had been detained in Lebanon by militias or unknown elements since 25 March 1985.

58. With regard to travel restrictions, the report noted with satisfaction that the United States authorities had lifted restrictions for private travel in the United States for all Czechoslovak, Hungarian and Bulgarian employees of the United Nations and their dependants. At the same time, the report referred to the restrictive regulations applied by those authorities to travel

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in the United States of Iraqi nationals who were employees of the United Nations. The report stated that the Secretary-General was obliged in that regard to reiterate the well-known position of principle of the United Nations regarding restrictive and discriminatory treatment by the host country of staff members of the United Nations Secretariat solely on the basis of their nationality (para. 13).

59. The report also noted that UNRWA continued to meet difficulties in the movement of staff into and out of the West Bank and the Gaza Strip and that the movement of UNRWA staff within the occupied territory was also seriously affected by frequent imposition of curfews, designation of areas as closed military zones and delays in the issue or renewal of permits by the local authorities (para. 12).

60. On the question of taxation, the report indicated that, notwithstanding section 18 (b) of the Convention on the Privileges and Immunities of the United Nations, which provided for exemption from taxation on the salaries and emoluments of officials of the United Nations and the specialized agencies, cases still existed where measures were introduced which had the effect of such taxation. The report referred to the difficulties experienced in that regard in two countries in particular.

61. With regard to the safety and security of staff, the organizations of the United Nations system had, during the reporting period, undertaken a comprehensive review of existing arrangements and examined proposals for their improvement. To that end, an ad hoc inter-agency meeting on security matters had been held from 10 to 13 June 1991 at Geneva. Representatives of the Coordinating Committee for Independent Staff Unions and Associations of the United Nations System (CCISUA) and the Federation of International Civil Servants' Associations (FICSA) had participated in the work of the meeting as observers. The meeting had considered a wide variety of issues and had adopted specific measures to ensure the safety and security of officials. Information about the meeting and its decisions was contained in paragraphs 18 to 23 of the report (A/C.5/46/4).

62. In conclusion, he hoped that the consideration of the item on respect for the privileges and immunities of officials of the United Nations and the specialized agencies and related organizations at the current session would further strengthen efforts to ensure full respect for those privileges and immunities and thus improve the conditions for effective operational activities of the organizations of the United Nations system.

63. Mr. CISS (Assistant Secretary-General for Human Resources Management) said that all the documents on personnel questions would be available in time for the deliberations of the Committee. While his Office had been unable to meet the six week deadline in all cases, it would endeavour to do so in the future.

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64. Referring to the report on the privileges and immunities of officials of the United Nations and the specialized agencies and related organizations (A/46/4 and Add.1), he said that, as both the head of Human Resources Management and coordinator for security matters, he attached great importance to that question. Over the past 12 months, violence in several areas of the world had led the Secretary-General to take preventive measures to ensure the safety and security of staff members and their families. In making security decisions, however, it was necessary for the United Nations to weigh its concern for the security and safety of its staff against the effect of any decisions on programmes and the political ramifications of those decisions. The United Nations needed to avoid appearing to lead an exodus from a country and by its nature, it was constrained to deal with the Government in power. He wished to express his appreciation to all countries that had helped in 1991 to ensure the safety of United Nations staff, in particular to the Governments of France and Italy for their assistance in evacuating United Nations officials.

65. As part of his ongoing efforts to maintain close relations with heads of departments and with the staff and their representatives, during his recent visit to Addis Ababa and Nairobi he had held extensive discussions with both the administration and the staff of the Economic Commission for Africa (ECA), the United Nations Environment Programme (UNEP) and the United Nations Centre for Human Settlements (Habitat) on all matters of interest to them, including security. Both groups had evinced considerable interest in the introduction of procedures to improve mobility and training opportunities for the staff, especially at duty stations away from Headquarters. His Office shared their concerns. It hoped that its proposals for a career development system, which would be submitted at the forty-seventh session of the General Assembly, would satisfy the need for increased mobility. As for training, steps had already been taken to make additional courses available at offices away from Headquarters. For instance, staff members at ECA had recently had the opportunity to participate in a large-scale computer training programme. Other programmes were being planned, on an experimental basis, for ECA and the Economic and Social Commission for Asia and the Pacific (ESCAP), and it was hoped that similar programmes could eventually be offered at other offices away from Headquarters. Some of the programmes in question were funded by the Government of Japan, to which he extended his thanks.

66. During the forty-fifth session of the General Assembly, he had drawn the attention of the Committee to the low morale of the staff, which was partly the result of a lack of career advancement. The Committee's suggestions on the subject had been much appreciated and were currently being studied. He also welcomed the positive response of the Assembly to a number of recommendations of the International Civil Service Commission (ICSC) and the United Nations Joint Staff Pension Board.

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67. Despite the increasing workload of the Organization, its staff had risen heroically to the challenges of difficult or dangerous assignments, sometimes at great personal sacrifice. So far, whenever it had been necessary to staff a new mission, the Secretariat's normal recruitment and administrative tasks had suffered delays, with obvious consequences for programme delivery. With a view to the forthcoming operation in Cambodia and future such efforts, he was giving thought to ways of reorganizing the Office for Human Resources Management (OHRM) in order to provide the necessary prompt attention to staffing. It already appeared that the level of staffing required for the Cambodia mission would far exceed the capacity of the Secretariat and the United Nations system and that the assistance of Member States would be required.

68. The report on the composition of the Secretariat (A/46/370) contained essentially statistical information and required few comments. During the period covered by the report, namely, July 1990 to June 1991, the number of unrepresented Member States had been reduced from 11 to 9. However, because of departures from the Secretariat and personnel movements, the number of underrepresented States had increased slightly. OHRM was persevering in its efforts to decrease the number of unrepresented and underrepresented Member States by holding competitive examinations or sending recruitment missions. Updating the report, he said that, in 1991, national recruitment examinations for P-2 posts had been completed in Albania, Bahrain, Costa Rica, Czechoslovakia, Dominica, Grenada, Honduras, Italy, Japan, Nicaragua, Saudi Arabia and Saint Vincent and the Grenadines. In addition to such efforts, however, it was essential for unrepresented and underrepresented States to submit candidacies of both men and women for the posts regularly advertised among the Permanent Missions. While the reduction in the number of annual recruitments made it more difficult to correct existing imbalances in geographical distribution, OHRM would continue to make every possible effort to improve the situation.

69. The first national competitive examinations at the P-3 level, pursuant to the recommendations of the Group of 18 and General Assembly resolution 41/213, had taken place in May 1991 for two occupational groups - economics and administration - in four Member States: Czechoslovakia, Italy, Japan and Hungary. Ninety-two qualified candidates had sat for the written examinations, 62 in economics and 30 in administration. The results of those examinations had been considered satisfactory by the Boards of Examiners. Oral examinations would take place early in December and the successful candidates should be recruited in early 1992. On the basis of that first experience, national examinations at the P-3 level would be held in 1992 for five occupational groups, and a report on the results would be submitted to the General Assembly at its forty-seventh session.

70. Turning to the report on the improvement of the status of women in the Secretariat (A/46/377), he recalled that, in resolution 45/239 C, the General Assembly had set a target of 35 per cent women in posts subject to

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geographical distribution by 1995 and, within that overall rate, 25 per cent women in posts at the D-1 level and above. Out of an annual recruitment of fewer than 200 appointments, 75 would have to be women if the 35 per cent goal was to be attained and two out of every three appointments at the D-1 level and above would have to be women in order to reach the goal of 25 per cent. He was therefore counting on Member States to present a sufficient number of women candidates for available vacancies. As a result of efforts to date, the percentage of women in posts subject to geographical distribution had risen from 28.3 per cent in June 1990 to 29.2 per cent on 30 June 1991, and the proportion at the D-1 level and above had risen from 7.2 per cent in June 1990 to 9.1 per cent as of the end of August 1991.

71. In response to General Assembly resolution 45/239, the Secretary-General was developing a programme of action for the advancement of women in the Secretariat for the period 1991-1995. The Canadian Government had generously provided a consultant who was helping to analyse obstacles to the improvement of the status of women and to develop the next programme of action, and he looked forward to presenting a report on that subject at the forty-seventh session of the General Assembly.

72. referring to the report on the administration of justice in the Secretariat (A/C.5/46/7), he said that the Administrative Review Unit of OHRM was responsible for reviewing the grievances of staff members and attempting to resolve them before they became appeals, with a view to avoiding costly and time-consuming litigation. Unfortunately, because of the scant resources assigned to it, the Unit did not have enough staff to cope effectively with its workload.

73. In the report on secondment from government service (A/C.5/46/9), proposals were made for simple procedures to establish the secondment status of government employees and for draft amendments to the Staff Regulations. Moreover, as stated in paragraph 8 of that report, the United Nations Administrative Tribunal had confirmed that, in accordance with General Assembly resolution 37/126, all staff should receive every reasonable consideration for a career appointment after five years of continuing good service. With regard to the "replacement" policy established by resolution 35/210, he said that a total of 112 staff members on secondment had been given staff appointments between June 1990 and October 1991, 38 in posts subject to geographical distribution and 74 in language posts.

74. As requested in General Assembly resolution 45/239 A, a report had been submitted on alternative options for desirable ranges for the geographical distribution of posts (A/C.5/46/2). OHRM would be at the disposal of the Committee to assess the implications of any further options that might be put forward during the debate.

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75. Introducing the report on amendments to the Staff Regulations (A/C.5/46/16), he said that the proposed revisions of Staff Regulation 3.2 were designed to obviate the need to amend the Regulation every time the amount of the education grant was revised and to clarify the costs reimbursable for education grant travel. The revision of annex I, paragraph 4, should eliminate ambiguities as to which steps in the Professional and higher categories were to be preceded by two years' service at the previous step. With respect to the report on amendments to the Staff Rules (A/C.5/46/13), he said that the 100 series of the Rules had been provisionally amended to reflect decisions adopted by the General Assembly in resolution 45/241. Provisional amendments to the 200 series were designed to bring those Rules into line with the corresponding amendments in the 100 series.

76. In conclusion, he said that success in improving the competence, motivation and effectiveness of the staff would, in the final analysis, be contingent largely upon the support and authority given to the human resources management function. It should be remembered that a well-motivated high-quality staff was essential if the Secretariat was to carry out the many demanding tasks assigned to it.

The meeting rose at 5.40 p.m.